

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

THURMAN HARVEY HINES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. CIV-05-440-L
	)	
JOHN WHETSEL, et al.,	)	
	)	
Defendants.	)	

**ORDER**

This matter is before the court for review of the Supplemental Report and Recommendation entered by United States Magistrate Judge Gary M. Purcell on July 19, 2005, wherein he recommended that this action be dismissed without prejudice for failure to state a claim. The court file reflects that no party has objected to the Supplemental Report and Recommendation within the time limits prescribed and to date plaintiff has failed to object to the Supplemental Report and Recommendation. Having conducted a *de novo* review of this matter, the court finds that the Supplemental Report and Recommendation should be adopted in its entirety. This action is therefore dismissed **without prejudice**. Judgment will issue accordingly.

It is so ordered this 23<sup>rd</sup> day of August, 2005.

  
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TIM LEONARD  
United States District Judge